

period for the transaction of routine morning business for not to exceed 15 minutes, with statements therein limited to 5 minutes.

TRAVEL EXPENSE AMENDMENTS ACT OF 1975

Mr. RIBICOFF. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 172.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 172) to revise certain provisions of title 5, United States Code, relating to per diem and mileage expenses of Government employees, and for other purposes, as follows:

Strike out all after the enacting clause, and insert: That this Act may be cited as the "Travel Expense Amendments Act of 1975".

Sec. 2. (a) Section 5701(2) of title 5, United States Code, is amended to read as follows:

"(2) 'employee' means an individual employed in or under an agency including an individual employed intermittently in the Government service as an expert or consultant and paid on a daily when-actually-employed basis and an individual serving without pay or at \$1 a year";

(b) Section 5705 of such title 5 is amended by striking out "or individual" wherever it appears.

Sec. 3. Section 5702 of title 5, United States Code, is amended to read as follows:

§ 5702. PER DIEM; EMPLOYEE TRAVELING ON OFFICIAL BUSINESS

"(a) Under regulations prescribed under section 5707 of this title, an employee while traveling on official business away from his designated post of duty, or in the case of an individual described under section 5703 of this title, his home or regular place of business, is entitled to (1) a per diem allowance for travel inside the continental United States at a rate not to exceed \$35, and (2) a per diem allowance for travel outside the continental United States, that may not exceed the rate established by the President, or his designee, for each locality where travel is to be performed. For travel consuming less than a full day, such rate may be allocated proportionately.

"(b) Under regulations prescribed under section 5707 of this title, an employee who, while traveling on official business away from his designated post of duty or, in the case of an individual described under section 5703 of this title, his home or regular place of business, becomes incapacitated by illness or injury not due to his own misconduct, is entitled to the per diem allowance and appropriate transportation expenses to his designated post of duty, or home or regular place of business, as the case may be.

"(c) Under regulations prescribed under section 5707 of this title, the Administrator of General Services, or his designee, may prescribe conditions under which an employee may be reimbursed for the actual and necessary expenses of official travel when the maximum per diem allowance would be less than these expenses, except that such reimbursement shall not exceed \$50 for each day in a travel status within the continental United States when the per diem otherwise allowable is determined to be inadequate (A) due to the unusual circumstances of the travel assignment, or (B) for travel to high rate geographical areas designated as such in regulations prescribed under section 5707 of this title.

"(d) Under regulations prescribed under section 5707 of this title, for travel outside

the continental United States, the Administrator of General Services or his designee, may prescribe conditions under which an employee may be reimbursed for the actual and necessary expenses of official travel when the per diem allowance would be less than these expenses, except that such reimbursement shall not exceed \$21 for each day in a travel status outside the continental United States plus the locality per diem rate prescribed for such travel.

"(e) This section does not apply to a justice or judge, except to the extent provided by section 456 of title 28."

Sec. 4. Section 5703 of title 5, United States Code, is amended to read as follows:

"§ 5703. PER DIEM, TRAVEL, AND TRANSPORTATION EXPENSES; EXPERTS AND CONSULTANTS; INDIVIDUALS SERVING WITHOUT PAY

"An employee serving intermittently in the Government service as an expert or consultant and paid on a daily when-actually-employed basis, or serving without pay or at \$1 a year, may be allowed travel or transportation expenses, under this subchapter, while away from his home or regular place of business and at the place of employment or service."

Sec. 5. Section 5704 of title 5, United States Code, is amended to read as follows:

"§ 5704. MILEAGE AND RELATED ALLOWANCES

"(a) Under regulations prescribed under section 5707 of this title, an employee who is engaged on official business for the Government is entitled to not in excess of—

"(1) 11 cents a mile for the use of a privately owned motorcycle;

"(2) 20 cents a mile for the use of a privately owned automobile; or

"(3) 24 cents a mile for the use of a privately owned airplane;

instead of actual expenses of transportation when that mode of transportation is authorized or approved as more advantageous to the Government. A determination of such advantage is not required when payment on a mileage basis is limited to the cost of travel by common carrier including per diem. Notwithstanding the preceding provisions of this subsection, in any case in which an employee who is engaged on official business for the Government chooses to use a privately owned vehicle in lieu of a Government vehicle, payment on a mileage basis is limited to the cost of travel by a Government vehicle.

"(b) In addition to the mileage allowance authorized under subsection (a) of this section, the employee may be reimbursed for—

"(1) parking fees;

"(2) ferry fees;

"(3) bridge, road, and tunnel costs; and

"(4) airplane landing and tie-down fees."

Sec. 6. (a) Section 5707 of title 5, United States Code, is amended to read as follows:

"§ 5707. REGULATIONS AND REPORTS.

"(a) The Administrator of General Services shall prescribe regulations necessary for the administration of this subchapter, except that the Director of the Administrative Office of the United States Courts shall prescribe such regulations with respect to official travel by employees of the judicial branch of the Government.

"(b) (1) The Administrator of General Services, in consultation with the Comptroller General of the United States, the Secretary of Transportation, the Secretary of Defense, and representatives of organizations, of employees of the Government, shall conduct periodic investigations of the cost of travel and the operation of privately owned vehicles to employees while engaged on official business, and shall report the results of such investigations to Congress at least once a year. In conducting the investigations, the Administrator shall review and analyze among other factors—

"(A) depreciation of original vehicle cost;
"(B) gasoline and oil (excluding taxes);
"(C) maintenance, accessories, parts, and tires;

"(D) insurance; and

"(E) State and Federal taxes.

"(2) The Administrator shall issue regulations under this section which shall prescribe mileage allowances which shall not exceed the amounts set forth in section 5704(a) of this title and which reflect the current costs, as determined by the Administrator, of operating privately owned motorcycles, automobiles, and airplanes. At least once each year after the issuance of the regulations described in the preceding sentence, the Administrator shall determine, based upon the results of his investigation, specific figures, each rounded to the nearest one-half cent, of the average, actual cost a mile during the period for the use of a privately owned motorcycle, automobile, and airplane. The Administrator shall report such figures to Congress not later than five working days after he makes his determination. Each such report shall be printed in the Federal Register. The mileage allowances contained in regulations prescribed under this section shall be adjusted within thirty days following the submission of that report to the figures so determined and reported by the Administrator."

(b) The regulations required under the first sentence of section 5707(b)(2) of title 5, United States Code, as amended by subsection (a) of this section, shall be issued no later than thirty days after the effective date of this Act.

Sec. 7. Item 5707 contained in the analysis of subchapter I of chapter 57 of title 5, United States Code, is amended to read as follows:

"5707. Regulations and reports."

Mr. RIBICOFF. Mr. President, the bill, S. 172, was passed by the Senate on March 20, 1975. On April 22, the House of Representatives, after passing its version of the measure, H.R. 4834, vacated passage and passed the Senate-passed version, S. 172, after amending it by substituting the language of the House-passed bill.

S. 172, as it passed the Senate, contained a provision which applied the new Government-wide per diem rates to Senators and committee and other Senate staff employees traveling on official Senate or committee business. The House amendment omits this provision.

I move that the Senate concur in the House amendment with an amendment which I send to the desk.

The PRESIDENT pro tempore. The clerk will state the amendment.

The legislative clerk read as follows:

On page 7, immediately below the matter appearing below line 15, insert the following new section:

Sec. 8. The seventh paragraph under the heading "ADMINISTRATIVE PROVISIONS" in the Senate Appropriation in the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 68b), is amended by striking out "\$25" and "\$40" and inserting in lieu thereof "\$35" and "\$50", respectively.

Mr. RIBICOFF. Mr. President, the amendment would restore to the bill the provisions referred to and I move its adoption.

The PRESIDENT pro tempore. The question is on agreeing to the motion.

Mr. HELMS. Mr. President, if the Senator would be willing to have a brief quorum call so that I can discuss one aspect, I suggest the absence of a quorum

April 30, 1975

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I move that the Senate concur in the House amendment with the amendment I have sent to the desk.

The motion was agreed to.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Heiting, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF THE NATIONAL VOLUNTARY SERVICE ADVISORY COUNCIL—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States transmitting the annual report of the National Voluntary Service Advisory Council, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare. The message is as follows:

To the Congress of the United States:
I herewith transmit the First Annual Report of the National Voluntary Service Advisory Council as required by section 405 of the Domestic Volunteer Service Act of 1973.

GERALD R. FORD.

THE WHITE HOUSE, April 30, 1975.

MESSAGES FROM THE HOUSE

At 10:17 a.m., a message from the House of Representatives delivered by Mr. Berry, one of its reading clerks, announced that the House disagrees to the amendments of the Senate to the bill (H.R. 4485) to provide for greater homeownership opportunities for middle-income families and to encourage more efficient use of land and energy resources; agrees to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. REUSS, Mr. BARRETT, Mr. ASHLEY, Mr. MOORHEAD of Pennsylvania, Mr. ST GERMAIN, Mr. MITCHELL of Maryland, Mr. AUCOIN, Mr. BROWN of Michigan, Mr. J. WILLIAM STANTON, and Mr. ROUSSELOT were appointed managers of the conference on the part of the House.

ENROLLED BILL SIGNED

At 12:24 p.m., a message from the House of Representatives delivered by Mr. Berry announced that the Speaker has signed the enrolled bill (H.R. 2808) to amend the joint resolution of July 18, 1939 (53 Stat. 1062), to provide for the acceptance of additional lands for the Home of Franklin D. Roosevelt National Historic Site, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore.

COMMUNICATIONS FROM EXECUTIVE DEPARTMENTS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT TO SUPPLEMENTAL 1975 APPROPRIATIONS FOR THE LEGISLATIVE BRANCH—(S. Doc. 94-46)

A communication from the President of the United States submitting a proposed amendment in the amount of \$531,530 to a request for supplemental 1975 appropriations for the Legislative Branch (with accompanying papers); to the Committee on Appropriations, and ordered to be printed.

PETITIONS

Petitions were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore (Mr. EASTLAND):

A petition seeking a redress of grievances from the Statewide Committee Opposing Regional Plan Areas, Barstow, Calif.; to the Committee on the Government Operations.

A petition seeking a redress of grievances from the Statewide Committee Opposing Regional Plan Areas, Terre Haute, Ind.; to the Committee on Government Operations.

A petition seeking a redress of grievances from the Statewide Committee Opposing Regional Plan Areas, Winnetka, Ill.; to the Committee on Government Operations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HRUSKA, from the Committee on the Judiciary without amendment:

H.J. Res. 242. A joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 12, 1975, as "National Historic Preservation Week" (Rept. No. 94-100).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session, the following executive reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations, with reservation:

Ex. M, 93rd Congress, 2d Session. International Agreement for the Creation at Paris of an International Office of Epizootics, done at Paris on January 25, 1924, with annexes (Exec. Rept. 94-4).

Mr. SPARKMAN. Mr. President, as in executive session, I report favorably from the Committee on Foreign Relations sundry nominations in the Foreign Service which have previously appeared in the CONGRESSIONAL RECORD and, to save

the expense on the Executive Calendar, I ask unanimous consent that they lie on the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as indicated:

By Mr. RIBICOFF (for himself, Mr. MCINTYRE, and Mr. WEICKER):

S. 1605. A bill exempting State lotteries from certain Federal prohibitions, and for other purposes. Referred to the Committee on Finance.

By Mr. CLARK:

S. 1606. A bill to make more chemical fertilizer available throughout the world for the production of food by substantially reducing the amount of such fertilizer used in the United States for nonfood growing purposes. Referred to the Committee on Agriculture and Forestry.

By Mr. RANDOLPH:

S. 1607. A bill to amend chapter 31 of title 5, United States Code, to authorize the employment of reading assistants for blind employees and interpreters for deaf employees. Referred to the Committee on Post Office and Civil Service.

By Mr. HATHAWAY (for himself, Mr. WILLIAMS, Mr. RANDOLPH, Mr. SCHWEIKER, and Mr. JAVITS):

S. 1608. A bill to amend the Drug Abuse Office and Treatment Act of 1972, and for other purposes. Referred to the Committee on Government Operations and the Committee on Labor and Public Welfare, jointly, by unanimous consent.

By Mr. BURDICK:

S. 1609. A bill designating the park established pursuant to the Act of April 25, 1947 (61 Stat. 52), as the "Theodore Roosevelt National Park." (Referred to the Committee on Interior and Insular Affairs.)

By Mr. RIBICOFF:

S. 1610. A bill for the relief of Robert Lionel Reid and Nadia Alice Reid. Referred to the Committee on the Judiciary.

By Mr. ROTH:

S. 1611. A bill to amend title II of the Federal Water Pollution Control Act to provide for State certification. Referred to the Committee on Public Works.

By Mr. DOLE:

S.J. Res. 76. A joint resolution authorizing and requesting the President to issue a proclamation designating the 7 calendar days commencing on April 30 of each year as "National Beta Sigma Phi Week". Referred to the Committee on the Judiciary.

By Mr. MCINTYRE (for himself, Mr. KENNEDY, Mr. LEAHY, Mr. MUSKIE, Mr. PASTORE, Mr. RIBICOFF, and Mr. STAFFORD):

S.J. Res. 77. A joint resolution to amend the Act creating the American Revolution Bicentennial Advisory Council to permit the appointment of members from the New England States. Referred to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RIBICOFF (for himself, Mr. MCINTYRE, and Mr. WEICKER):

S. 1605. A bill exempting State lotteries from certain Federal prohibitions, and for other purposes. Referred to the Committee on Finance.